

REMARKS

Claims 1-4 and 8-9 are pending in the present application. By this Amendment, claims 1, 8, and 9 have been amended and claims 5-7 and 10-11 have been cancelled without prejudice or disclaimer. The Applicant request reconsideration of the rejections based on the following remarks.

Before addressing the outstanding rejections, the Applicant notes that the Information Disclosure Statement filed with the application on July 25, 2001, appears to have not been considered. Accordingly, the Applicant respectfully requests that a copy of the PTO Form 1449, which was submitted with the IDS, be included with the next Office Action indicating that the cited references have been considered.

Claim 8 was rejected under 35 U.S.C. §112, first paragraph, as not being enabled. The Applicant respectfully traverses this rejection and submits that the enablement requirements according to 35 U.S.C. §112, first paragraph, have been met with respect to this claim. Specifically, page 4, line 26, of the present application refers to an internet address discussing where to find Parlay group specifications. The test of enablement requires a determination of whether the disclosure contains sufficient information regarding the subject matter of the claim as to enable one skilled in the pertinent art to make in use the claimed invention. In the present application, the Applicant respectfully submits that one of ordinary skill in the art would be enabled with sufficient information obtained from the internet website www.parlay.org to make in use the features of claim 8. Furthermore, claim 8 requires "an interface operated in accordance with specifications of a parlay group." One of ordinary skill in the art would very easily be enabled to connect the featured computer and communication network with an interface operated in accordance with parlay group specifications as opposed to some other standard. The present Office Action provides no evidence or reasoning why someone of ordinary skill in the art could not be enabled given the information provided in this present specification. Accordingly, the Applicant respectfully submits that this rejection is without merit and requests that the rejection be withdrawn, accordingly.

Claims 1-7 and 9-11 were rejected under 35 U.S.C. §102(e) as being anticipated by Miner et al. (U.S. Patent No. 6,047,053). The Applicant respectfully traverses this rejection for the following reasons.

Claim 1 has been amended to include the features of cancelled claims 5 and 7. Nonetheless, these claims were also rejected under §102 by Miner, the features therein ostensibly being taught in columns 35 and 36 of the cited reference. In particular, amended claim 1, features “an appointments book program operated on a computer that is arranged outside a communication network by which the person seeking communication and the communication partner can be connected.” Miner illustrates in Figure 5, for example, that any scheduling or appointment calendar programs are only operated on devices belonging to a particular communication network and not outside of that network. Specifically, in connection with this architecture, Miner teaches that the stored schedules are situated at a subscriber’s user object, which is checked by the “assistant.” (See column 35, lines 45-48). Thus, when someone who is searching for communication wishes to reach a communication partner with a mobile telephone 116 from a telephone 92, for example, this connection would be set up as follows: telephone 92-element 90-element 96-element 120-“assistants and agents”-element 126-element 108-element 112-mobile telephone 116 as may be seen in Figure 5. Accordingly, the “assistants and agents” carry out administration of the schedule memory and, as seen in Figure 5, these “assistants and agents” belong to the communication network in which the person looking for communication partner are both connected. Accordingly, Miller does not teach all of the elements of amended claim 1.

Furthermore, one of ordinary skill in the art would not receive suggestion from Miner to modify the system to arrive at claim 1. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1.

With respect to dependent claims 2-4 and 8-9, these claims are believed to be allowable at least by virtue of their dependency on independent claim 1.

In light of the foregoing comments, the Applicant respectfully submits that the application is in condition for allowance and requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: October 24, 2003